

Conduct of House Business

I am sure, Mr. Chairman, that any Speaker worth his salt would like to see an avenue of appeal open just in case there is an error of judgment in order to ensure that a mistake does not create a precedent which future Parliaments cannot correct. I say, Mr. Chairman, without delving into the meritorious arguments of Professor Smith, the gentleman who prepared the document for the Procedure Committee, that I think that we should not endorse the proposal of the Government but should support the amendment moved by the hon. Member for Lapointe for the reasons I have outlined. I hope that upon passage of the amendment of the hon. Member for Lapointe we may be able to proceed to rephrase this particular section in a proper way that is worthy of acceptance.

Mr. Patterson: Mr. Chairman, I think about two weeks ago I prepared a brief intervention for this particular debate on proposed changes in the rules but each day I refrained from participating in the hope and expectation that the debate would be wound up and that we would be able to get ahead and arrive at points of decision. Perhaps my refraining did cut the debate a little bit shorter but I rise at this time to make a few observations on the particular point which has been raised.

We in this group have taken the position, I think quite consistently, that the authority of Mr. Speaker must be maintained if we are to have order in the House of Commons. I am sure every Member recalls that in the many challenges of the rulings of the Speaker we have very consistently supported the Speaker on those occasions. We did so because we believed that, even though there might be times when Mr. Speaker perhaps had exercised less than the best of judgment or possibly had made a ruling that was not completely in accord with what we had hoped, generally speaking his rulings should be sustained because, as I have said, we believe that his authority must be respected and maintained in the House.

I think all of us would agree in looking back over the past several years that there have been many occasions when Mr. Speaker's rulings have been challenged not on the basis of his interpretation of the rules of the House but because his ruling was contrary to the proposal put forward and upon which his judgment had been made. Therefore political implications and ramifications were considered. There were occasions when I personally felt that Mr. Speaker's rulings were challenged in order to try and gain a

[Mr. Howard.]

little political advantage out of the situation. Perhaps I am attributing motives I should not, but that was certainly my feeling on a number of occasions.

In introducing this amendment the hon. Member for Lapointe seems to me to question the judgment, perhaps even the integrity and impartiality of Mr. Speaker. Perhaps I am rather naïve.

An hon. Member: You certainly are.

● (9:40 p.m.)

Mr. Patterson: I think it is better to be a little naïve than overly sceptical under these circumstances.

I have always felt that the Speaker acts and makes rulings on the basis of his best judgment as to what he believes is correct and in accordance with the rules that have been placed before him by the House of Commons. Therefore, as I stated, I have constantly supported the Speaker's rulings with one exception and on that occasion I sat out the vote. Following that I discovered that the vote was a tie, and I suppose I might have felt very badly had Mr. Speaker been overruled on that occasion. That experience cured me of sitting out votes in this Chamber.

I have risen this evening to state that I believe this proposal should remain and that appeals from Mr. Speaker's rulings should be removed. The privilege of appeal has been abused and I am, therefore, opposed to the amendment moved by the hon. Member for Lapointe and will support the motion without amendment.

[Translation]

Mr. Caouette: Mr. Chairman, in reading the provisions of paragraph 2 of resolution No. 15, you see that they are aiming at denying members of the right to appeal from the Speaker's rulings. On the other hand, just as resolution No. 14, resolution No. 15 is intended to speed up the business of the house and particularly to shorten at will sessions which have become too long.

Mr. Chairman, I am of the opinion that a paragraph could have been added to this clause so as to settle the problem of the length of sessions by setting for instance fixed dates for opening and adjournments, whereas the government could have prepared and introduced its legislation with a little more dispatch than they do at the present time.

We are now wasting considerable time precisely as a result of the inertia and indecision of the government, even if it told us that it would solve the problems of Canada within 60 days.